

UNITED STATES DISTRICT COURT  
SOUTHERN DISTRICT OF NEW YORK

CERCO BRIDGE LOANS 6 LLC,

Plaintiff,

v.

GREGG SCHENKER, et al.,

Defendants.

23 Civ. 11093 (DEH)

ORDER

DALE E. HO, United States District Judge:

On May 3, 2024, Plaintiff filed a letter asking the Court, among other things, to clarify its March 11, 2024 Order, ECF No. 27, and to quash Defendants’ “efforts to seek, *inter alia*, early jurisdictional discovery of Plaintiff’s CEO, Peter Cervinka.” Pl.’s Letter 1, ECF No. 51.

Defendants filed a letter in response arguing “[n]o valid grounds exist to quash or delay the deposition, and Plaintiff’s application should be denied.” Defs.’ Letter 1, ECF No. 51. For the reasons discussed below, Plaintiff’s request to quash the deposition of Plaintiff’s CEO, Peter Cervinka, is **DENIED**.

The Court’s March 11, 2024 order did not stay jurisdictional discovery. On March 11, 2024, the Court issued a ruling on Defendants’ letter-motion to adjourn the initial pretrial conference. *See* ECF No. 27. The Court denied Defendants’ request and stated “[t]he Court will not address the jurisdictional issue *at this time*.” *Id.* (emphasis added). Following the initial pretrial conference on March 19, 2024, the Court entered the civil case management plan and scheduling order that was mutually agreed to by the parties. *See* ECF No. 34. The Court’s civil case management plan and scheduling order make clear that “[a]ll fact discovery shall be completed no later than July 14, 2024.” *Id.* (emphasis added).

Further, on April 4, 2024, the Court denied Defendants' letter-motion to stay discovery pending resolution of the parties' dispositive motions. *See* ECF No. 44. To the extent that Defendants' forthcoming motion papers rely on facts that Plaintiff believes are improper, Plaintiff is free to so argue in its opposition papers.

Accordingly, the Court denies Plaintiff's request to quash Mr. Cervinka's deposition.

SO ORDERED.

Dated: May 6, 2024  
New York, New York

A handwritten signature in black ink, appearing to read "Dale Ho", is written above a horizontal line.

DALE E. HO  
United States District Judge